



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of

Docket No. A7631

NAKAMURA, LEE E., et al.

**RECEIVED**

Appln. No. 09/479,999

Group Art Unit: 2178

AUG 13 2003

Confirmation No. 3788

Examiner: HUYNH, C.

**Technology Center 2100**

Filed: January 10, 2000

For: **METHOD AND SYSTEM FOR GENERATING MATERIALS FOR PRESENTATION  
ON A NON-FRAME-CAPABLE WEB BROWSER**

**SUBMISSION OF APPELLANTS' BRIEF ON APPEAL**

**MAIL STOP APPEAL BRIEF - PATENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith please find an original and two copies of Appellants' Brief on Appeal. A check for the statutory fee of \$320.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

Billy Carter Raulerson  
Registration No. 52,156

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: August 11, 2003



AF/2178

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of

Docket No. A7631

**RECEIVED**

NAKAMURA, LEE E., et al.

AUG 13 2003

Appln. No. 09/479,999

Group Art Unit: 2178

**Technology Center 2100**

Confirmation No. 3788

Examiner: HUYNH, C.

Filed: January 10, 2000

For: **METHOD AND SYSTEM FOR GENERATING MATERIALS FOR PRESENTATION  
ON A NON-FRAME-CAPABLE WEB BROWSER**

**APPELLANTS' BRIEF ON APPEAL UNDER 37 C.F.R. § 1.192**

**MAIL STOP APPEAL BRIEF - PATENTS**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. § 1.192, Appellants submit the following:

The following comprises the Appellants' Brief on Appeal from the rejection dated March 24, 2003, wherein claims 7-12 and 27-31 were finally rejected. This Appeal Brief is filed in triplicate and is accompanied by a Submission which includes the required appeal fee set forth in 37 C.F.R. § 1.17(c). Appellants' Notice of Appeal was filed on June 10, 2003. Therefore, the present Appeal Brief is timely filed.

**I. REAL PARTY IN INTEREST**

The real party in interest is International Business Machines Corporation ("IBM") of

Armonk, New York, the assignee.

## **II. RELATED APPEALS AND INTERFERENCES**

There are no other appeals or interferences known to Appellants, Appellants' representatives or the assignee that will directly affect or be directly affected by, or have a bearing on, the Board's decision in this appeal.

## **III. STATUS OF CLAIMS**

This is an appeal from the final Office Action dated March 24, 2003, wherein claims 7-12 and 27-31 of the present application were finally rejected.

The present application was filed on January 10, 2000 as a divisional application of pending prior Application No. 08/892,842, which issued as U.S. Patent No. 6,178,433 on January 23, 2001.

Claims 28-31 were amended in the Amendment filed on February 14, 2002 in order to correct the inadvertent mislabeling of these dependent claims as being directed to a system instead of the intended computer-readable medium.

No other amendments were made to the claims after the filing of this Amendment on February 14, 2002. Thus, claims 7-12 and 27-31 (*see* attached Appendix) are the claims currently on appeal, from the final rejections as set forth in the Office Action dated March 24, 2003.

## **IV. STATUS OF AMENDMENTS**

All of the Amendments listed in Section III above have been entered. No Amendments were filed after the final Office Action dated March 24, 2003.

## **V. SUMMARY OF THE INVENTION**

Web sites, accessible via the Internet, typically are made up of numerous web pages with each web page being defined in a single computer file containing only the contents of that particular web page (*see* page 4, lines 4-16). A server receives and processes a request for the URL of a web page, wherein the URL identifies the file for the requested web page (*Id.*). The server can then retrieve the file for the requested web page and transmit the contents of the retrieved file to the requesting client (*Id.*). However, this approach of using a separate file for the various web pages requires the management of multiple files (*Id.*). This added management and maintenance complexity continues to increase as a web site becomes larger and/or more complex (*Id.*).

Alternatively, a plurality of a web site's pages can be stored in a single file (*see* page 5, line 17 to page 6, line 8). Under this approach, when a server receives a request for a web page, the server would retrieve the entire single file containing the requested web page, as well as other web pages, and download the entire single file to the requesting client (*Id.*). This transmission (from the server to the client) of a single file containing all of the web pages, or even a plurality of web pages, could result in degraded performance, *e.g.*, long response times at the client, and increased network traffic (*Id.*).

Furthermore, certain web browsers support a frames feature that allows a client to display, via the web browser, more than one frame (of information) at a time (*see* page 6, lines 2-4; Fig. 2). In such a frame-based approach, when a server processes a request for the URL of a web page, the corresponding information retrieved by the server is transmitted to the requesting

APPELLANTS' BRIEF ON APPEAL

UNDER 37 C.F.R. § 1.192

U.S. Application No. 09/479,999

Attorney Docket No. A7631

client to be displayed in a specified frame (*see* page 6, line 15 to page 7, line 2). In order to manage and identify the frames in which the information is to be displayed, the server requires that specific frames be identified in the HTML structure of the files at the server (*see* page 7, lines 3-5). HTML frame tags provide this identification, as well as indicating the size of the frame, the location of the frame, etc. (*see* page 7, lines 6-17). Upon receiving these special frame tags, a frame-capable web browser decodes the frame tags and displays the information relating to each frame in the corresponding frame (*Id.*). Thus, web sites that use frames require web browsers that support the frame feature in order to have the information presented in frames (*see* page 9, lines 1-13).

Because a large number of installed web browsers are not frame-capable, many web sites avoid the use of frames, or else HTML code is included for both frame-based and non-frame-based web pages for transmission to frame-capable and non-frame-capable browsers, respectively (*Id.*). Creating two sets of data, one for frame-capable browsers and another for non-frame-capable browsers, increases the difficulty in managing and maintaining the redundant information (*Id.*).

Additionally, another problem with presenting information in frames is that a single, unified background image cannot be presented by a web-browser that presents frames of information (*see* page 9, lines 14-16).

Given the above-described exemplary problems with the aforementioned approaches, the application on appeal relates to generating presentation materials for transport over a network to

a browser, in which the browser is not capable of handling frames (*see* page 9, line 18 to page 10, line 2; page 10, lines 15-17).

For example, a web server 30 includes a dynamic HTTP application 32, which operates according to a web macro 34, running thereon (*see* Fig. 3). The web macro can be recorded in a single file and includes two sections: a definition section and a portion for generating HTML (*see* page 13, line 3 to page 16, line 19; Table 2).

Thus, variables, *e.g.*, "purpose" can be defined in a first section of the file, while HTML generating layouts can be stored in a second section of the file (*see* Table 2).

When a user requests information corresponding to a defined variable, *e.g.*, "purpose", from a displayed Table of Contents 50, the first section of the web macro corresponding to the defined variable is interpreted and the HTML corresponding to a "purpose" HTML generating layout of the second section of the web macro is dynamically generated by the dynamic HTTP application 32 (*see* Table 2; Fig. 5). The generated HTML is displayed to the requesting user as a web page via the user's web browser (*see* Fig. 4). As defined in the second section of the web macro of Table 2, this dynamically generated web page corresponding to the selection of "purpose" from the Table of Contents includes the header, contents, purpose and footer variables, which are defined in the first section of the web macro of Table 2.

Subsequently, if the user requests information corresponding to a different defined variable, *e.g.*, "overview", from the Table of Contents, the web macro is interpreted and the HTML corresponding to an "overview" HTML generating layout is generated (*see* Table 2; Fig. 6). As defined in the second section of the web macro of Table 2, this generated web page

corresponding to the selection of "overview" from the Table of Contents includes the header, contents, overview and footer variables, which are defined in the first section of the web macro of Table 2.

In this manner, a single file (*e.g.*, web macro) can be created, stored and managed, whereby a plurality of web pages corresponding to presentation layouts stored in the file along with defined variables are dynamically generated based on information requests (*see* page 20, lines 1-4; page 21, lines 1-14). Only those portions of the web macro that correspond to the user's request are interpreted and included in the web page dynamically generated based on the interpretation of the web macro, such that unnecessary and/or redundant information is not sent to a requesting client thereby avoiding performance degradation (*Id.*).

Furthermore, the single instance of the information stored in the web macro can be handled and presented with a non-frame capable web browser (*see* page 21, line 14 to page 22, line 7). A non-frame capable web browser can present the information, as maintained in the single file, because the client receives a complete web page (*e.g.*, as dynamically generated by the dynamic HTTP application 32) rather than receiving only a frame of information (*Id.*). Thus, according to the present invention, a generated web page that is presented at the client using a non-frame capable web browser give the appearance of consisting of logical frames, without requiring the web browser to be capable of supporting frame tags (*Id.*). This appearance results from the information being dynamically updated at various locations of the display.

Additionally, this approach allows the single file to include a plurality of presentation areas and a background (*see* page 26, lines 14-17). For example, web macro 34 could include a

background tag for pages that are generated (*Id.*). The defined background is decoupled from the plurality of presentation areas so that the generated background appears uniform across the presentation areas (*Id.*). Fig. 8 illustrates a background 80 that appears uniform across all of the presentation areas, a capability that would not be possible if the web page were implemented with frame tags (*see* page 27, lines 1-5).

## **VI. ISSUES**

The issues on appeal relate to whether claims 7-12 and 27-31 are patentable over a reasonable combination, if any, of the Brown publication, *Using Netscape 2*, published by Que Corporation (hereinafter "Brown") in view of Benedikt et al., U.S. Patent No. 5,966,535 (hereinafter "Benedikt"), under 35 U.S.C. § 103(a).

## **VII. GROUPING OF CLAIMS**

The claims do not stand or fall together and arguments for patentability of each group of claims, identified below, are set forth in this brief.

- Group I: claims 7-8 and 10, each of which stand or fall together.
- Group II: claim 9 stands alone.
- Group III: claim 11 stands alone.
- Group IV: claim 12 stands alone.
- Group V: claims 27-28 and 30-31, each of which stand or fall together.
- Group VI: claim 29 stands alone.

## **VIII. ARGUMENTS**

Appellants respectfully request the Board to reverse the Examiner's final rejection of the claims pending in the application for at least the following reasons.



**A. The Brown Reference**

From the portions of Brown relied upon by the Examiner, Brown appears to be a reference manual of sorts relating to web browsing and web page creation using the Netscape web browser (Brown: cover). For example, Brown describes the diversity of users of the world wide web ("WWW" or "web"), how to move around the web, discusses HTML links and the use of the NOFRAMES HTML tag (Brown: pages 8-11, 163, 675-679 and 779).

**B. The Benedikt Reference**

Benedikt relates to providing a programming language infrastructure wherein reusable abstractions can be created that are useful to web programmers while facilitating the generation of error-free code (Benedikt: col. 2, lines 12-15). To this end, a web specific programming language called MAWL (along with an associated MAWL compiler) are provided to program and generate correct web service code (Benedikt: col. 2, lines 32-36).

In Benedikt, a source code program is written in the MAWL language (Benedikt: col. 2, lines 37-48). Next, the source code program input to the MAWL compiler and is checked for errors and compiled to create an executable web program that is as correct as the source code program (*Id.*).

Creation of web services via the MAWL infrastructure begins with creating program files of two types: a single-service logic program and one or more MAWL extended HTML files (Benedikt: col. 4, lines 4-18). The service-logic file describes the control flow and computation aspects of the service, while the MAWL extended HTML files describe layout information for particular pages to be displayed (*Id.*).

**C. The Claims Of Group I Are Not Rendered Obvious By A Reasonable Combination, If Any, Of Brown And Benedikt.**

Independent claim 7 recites, *inter alia*, "generating a page of presentation material in response to a request for said first information, wherein the page is generated based on the first presentation layout and includes said first information and does not contain said second information". The Examiner alleges that Brown discloses this recited feature. For example, the Examiner alleges that in Fig. 1.4, on page 10 of Brown, "when a user selects NFL from the list of items on the left side and, only the information about NFL is displayed on the right side of the page; the information of Cyberspace Showdown III or Raider's Fan Wins Contest! are not shown". Furthermore, the Examiner alleges that in Fig. 7.15 of Brown, "in response to a request for an information, which is a link, on the list of people displayed on the left side, and only the resume of the selected person Doug Folsom is displayed on the right side, the resume of Carol Guttery is not shown on the right side".

Appellants respectfully disagree with the Examiner's characterization of both Fig. 1.4 and Fig. 7.15 of Brown.

First, neither figure of Brown illustrates the generation of a web page. At best, these figures illustrate the displaying of static web pages. Displaying a stored web page is not the same as dynamically generating a web page, such that multiple simultaneous presentation areas can be generated and managed (*see, e.g.*, Appellants' page 10, lines 10-14; *c.f.* S140 and S160 of Fig. 5). Indeed, the Examiner acknowledges as much on page 5 of the Office Action dated March 24, 2003. The Examiner argues that the act of displaying of the web pages of Fig. 1.4 and Fig. 7.15 of Brown, *inherently* teaches that the web pages with their defined layouts are already

generated. At best, this line of reasoning supports Appellants' position by teaching away from the recited step of "generating a page of presentation material in response to a request for said first information", as recited in claim 7. That is, even assuming *arguendo* that Brown teaches displaying a web page that was already generated, this merely involves the retrieval of the past-generated web page and the displaying thereof, as opposed to the dynamic generation of web page in response to a user request, wherein the dynamically generated web page is based on one of a plurality of layouts defined in a single file and includes one of a plurality of information defined in the single file (*see* claim 7).

Furthermore, the Examiner relies on the static image 1.4 of Brown in alleging that selection of "NFL" from the list of items on the left side of the page causes only information related to the NFL to be displayed on the right side of the page. It is not entirely clear to what "NFL" on the left side that the Examiner is referring, but even assuming *ad arguendo* that a hyperlink labeled "NFL" appeared on the left, there is no way to associate the information on the right side of web page to the selection of such a link solely from a static figure (*i.e.*, without an inspection of the underlying code). Indeed, all of the information on this web page is apparently related to the National Football League (NFL), since it represents the NFL's home page (*see, e.g.*, the page's URL). Even further, the entire home page itself is not displayed in Fig. 1.4 (*see, e.g.*, the unfilled vertical scroll bar). Thus, without looking at the underlying HTML code defining the page illustrated in Fig. 1.4 of Brown, the Examiner's allegations are mere speculation. Indeed, given that this figure (along with the other Figs. 1.x) appears in a section of Brown entitled *Who Uses the World Wide Web*, it is highly plausible that Fig. 1.4 merely

illustrates a single web page, *i.e.*, the NFL's home page, with various information distributed throughout the displayed page, *e.g.*, text and graphics. There is certainly no teaching or suggestion from these static figures of Brown that "presentation materials in a single file format for ease of administration" are provided "while presenting only those portions of the file requested" (*see* claim 7).

Indeed, Fig. 7.15 is very similar to Appellants' Fig. 2, which illustrates frames produced by a frames-capable web browser, as known in the prior art. Thus, Fig. 7.15 fails to address the various problems associated with the frame-based approach as identified, for example, at Appellants' page 9, lines 16. Furthermore, each frame's information can be stored in a separate file (*see, e.g.*, Appellants' page 7, lines 10-11), such that without an inspection of the underlying HTML code defining the page illustrated in Fig. 7.15 of Brown, the Examiner's allegations are again mere speculation. Even further, the Examiner fails to provide support for his allegations, instead making unsupported conclusory statements such as: "Since the program is for displaying the resumes of a list of people available for recruiting, the resumes and the list of people should be stored in a single file of the recruiting service." (emphasis added) (*see* page 8 of the Office Action dated March 24, 2003). Finally, as discussed above, Fig. 7.15 fails to teach or suggest generation of a web page, as contrasted with the mere presentation of a web page or frame(s) therein (*see, e.g.*, Appellants' page 10, lines 10-14; *c.f.* S140 and S160 of Fig. 5).

Thus, Brown fails to teach or suggest the feature of "generating a page of presentation material in response to a request for said first information, wherein the page is generated based

on the first presentation layout and includes said first information and does not contain said second information", as recited in claim 7.

The Examiner acknowledges that Brown fails to teach or suggest the features of "defining, in a first portion of the [single] file, a first variable equal to first information and a second variable equal to second information" and "defining, in a second portion of the [single] file, first and second presentation layouts, wherein said first presentation layout includes said first variable and said second presentation layout includes said second variable", as also recited in claim 7 (*see* page 3 of the Office Action dated March 24, 2003). Instead, the Examiner alleges that Benedikt makes up for these acknowledged deficiencies of Brown.

In particular, the Examiner alleges that Benedikt discloses "defining variables in the HTML code of a web document for different data" (Benedikt: col. 8, lines 27-44 and col. 11, lines 2-15). Benedikt describes a programming language and compiler for generating program code for world wide web service applications (Benedikt: Abstract). However, Benedikt does not make up for the deficiencies of Brown, as noted above.

For example, Benedikt fails to teach or suggest "defining, in a first portion of the [single] file, a first variable equal to first information and a second variable equal to second information" and "defining, in a second portion of the [single] file, first and second presentation layouts, wherein said first presentation layout includes said first variable and said second presentation layout includes said second variable", as recited in claim 7. To the contrary, Benedikt requires the use of two or more separate files (Benedikt: col. 4, lines 4-10; claim 1). Indeed, a single service-logic program file describes the control flow and computation aspects of the service,

including, for example, variable declarations (Benedikt: col. 4, lines 4-10; col. 4, line 42 to col. 5, line 16; and col. 8, lines 44-46). Additionally, one or more extended HTML files describe layout information for particular pages to be displayed (Benedikt: col. 4, lines 4-10; and col. 5, lines 13-55). This use of separate files for defining variables and for defining layouts actually teaches away from the claimed invention.

Furthermore, the variables described in Benedikt do not correspond to the first variable and the second variable recited in claim 7. As noted above, Benedikt describes a programming language and compiler for generating program code for world wide web service applications, and as such, this programming language defines many data types such as string, integer, etc.

(Benedikt: Abstract; and col. 6, line 41 to col. 7, line 20). These data types of Benedikt, the values of which can vary, do not teach or suggest a first variable equal to first information and a second variable equal to second information defined in a single file, wherein a first presentation layout including the first variable and a second presentation layout including the second variable are also defined in the same single file, such that a request for the first information results in the generation of a web page based on the first presentation layout and including the first information but not the second information (*see* claim 7).

Even further, Benedikt also fails to teach or suggest "generating a page of presentation material in response to a request for said first information, wherein the page is generated based on the first presentation layout and includes said first information and does not include said second information", as recited in claim 7. To the contrary, the generation referred to in Benedikt results from the compilation of the aforementioned two or more documents, but not in

response to a request for the first information (Benedikt: col. 3, lines 40-55). Furthermore, the actual generation of the pages conforming to the compiled one or more extended HTML files are not predicated on a request for the first information, but instead conform to the flow that was provided in the separate service-logic program file (Benedikt: col. 4, line 39 to col. 5, line 57). Further still, example 2 of the fancy greeting service program described in Benedikt, illustrates a page conforming to the first layout that includes the first information (first name) and also includes the second information (last name), in contrast to the features recited in claim 7.

Additionally, Appellants respectfully submit that there is no suggestion or motivation from the references themselves or the knowledge generally available to one of ordinary skill in the art at the time of the invention to combine the teachings of Brown and Benedikt so as to render the subject matter of claim 7 obvious. For example, the Examiner's alleged reason for combining Brown and Benedikt (*see* pages 3-4 of the Office Action dated March 24, 2003), is based on the Examiner's flawed interpretation of the figures of Brown, as described above.

Thus, claim 7 is patentable over a reasonable combination of Brown and Benedikt, if any, for at least the above exemplary reasons. The remaining claims in Group I contain similar limitations, and hence, are patentable for at least the same reasons.

**D. The Claim Of Group II Is Not Rendered Obvious By A Reasonable Combination, If Any, Of Brown And Benedikt.**

In addition to the aforementioned novel features of claims 7 and 8, as incorporated into claim 9, claim 9 recites that "said web browser does not support a hypertext markup language (HTML) frame tag".

The Examiner alleges that Brown discloses a web browser that does not support frames (Brown: page 10, Fig. 1.4; page 779).

While Fig. 1.4 of Brown appears to display a web page without frames, this does not mean that the web browser does not support an HTML frame tag. Indeed, a web browser that supports an HTML frame tag can display both a web page using frames and a web page not using frames.

Claim 9 recites a method for managing internet presentation materials in a single file format for ease of administration while presenting to a requestor only those portions of the file requested. Furthermore, claim 9 requires that the requested information is presented via a web browser that does not support an HTML frame tag.

The Examiner further alleges that Brown's description of the NOFRAMES tag teaches the features of claim 9. The NOFRAMES tag allows the creator of a web page to provide alternative content (than that additionally provided using FRAME tags) for display on a browser that is not capable of supporting frames. In operation, a web browser that does not support an HTML frame tag will ignore any content between the FRAMESET AND FRAME tags, but display all of the HTML included in the NOFRAMES section. Conversely, a web browser that does support an HTML frame tag will display the content (and frames defined therein) between the FRAMESET and FRAME tags, but ignore all of the HTML included in the NOFRAMES section.

This approach of creating both frame-based and non-frame-based web pages for transmission to frame-capable and non-frame-capable browsers, respectively (*see* Appellants'



page 9, lines 1-13.) does not address the problems resolved by the claimed invention. For example, creating two sets of data, one for frame-capable browsers and another for non-frame-capable browsers, increases the difficulty in managing and maintaining the redundant information (*Id.*).

Furthermore, the use of the NOFRAMES tag does not result in the dynamic generation of presentation material in response to a request for first information, which is defined in a single file along with second information (*see* claim 9). The use of the NOFRAMES tag merely determines which content is to be displayed by the web browser. Furthermore, this determination of what content to display is not based on a request for any first information defined in the file, but is instead a product of the capabilities of the web browser.

Thus, the claim of Group II is patentable over a reasonable combination of Brown and Benedikt, if any, for at least the above exemplary reasons.

**E. The Claim Of Group III Is Not Rendered Obvious By A Reasonable Combination, If Any, Of Brown And Benedikt.**

Claim 11 recites "a system for managing internet presentation materials in a single file format for ease of administration while presenting to a requestor only those portions of the file requested". The system of claim 11 includes a server, a dynamic presentation page generating unit and a macro program. The dynamic presentation page generating unit is coupled with the server and the macro program, which stores first and second presentation material, is coupled with the dynamic presentation page generating unit (*see, e.g.,* Appellants' Fig. 3). Furthermore, claim 11 recites that "said dynamic presentation page generating unit, in response to a message

APPELLANTS' BRIEF ON APPEAL

UNDER 37 C.F.R. § 1.192

U.S. Application No. 09/479,999

Attorney Docket No. A7631

received by said server requesting said first presentation material, generates a page of presentation material based on the macro program, the generated page including said first presentation material and not including said second presentation material".

Brown and Benedikt, either alone or in combination, fail to teach or suggest a system comprising a server, a dynamic presentation page generating unit and a macro program. Indeed, neither Brown nor Benedikt teach or suggest the dynamic generation of a web page, let alone one based on a coupled macro program and including a first presentation material but not a second presentation material, both of which are stored in the macro program.

Thus, the claim of Group III is patentable over a reasonable combination of Brown and Benedikt, if any, for at least the above exemplary reasons.

**F. The Claim Of Group IV Is Not Rendered Obvious By A Reasonable Combination, If Any, Of Brown And Benedikt.**

Claim 12 incorporates the features of the system recited in claim 11 and further requires that the "dynamic presentation page unit generates said page of presentation material in the form of hypertext markup language (HTML) for presentation on a non-frame-capable web browser".

As noted above, Brown and Benedikt, either alone or in combination, fail to teach or suggest a system comprising a server, a dynamic presentation page generating unit and a macro program (*see supra* Section VIII(E)). Indeed, neither Brown nor Benedikt teach or suggest the dynamic generation of a web page, let alone one based on a coupled macro program and including a first presentation material but not a second presentation material, both of which are stored in the macro program (*Id.*).

Consequently, neither Brown nor Benedikt teach or suggest the dynamic presentation page unit that generates a page of presentation material "in the form of hypertext markup language (HTML) for presentation on a non-frame-capable web browser", as recited in claim 12.

Thus, the claim of Group IV is patentable over a reasonable combination of Brown and Benedikt, if any, for at least the above exemplary reasons.

**G. The Claims Of Group V Are Not Rendered Obvious By A Reasonable Combination, If Any, Of Brown And Benedikt.**

Claim 27 recites "a computer-readable medium encoded with a computer program". The computer program includes "a definition area having presentation information stored therein, wherein the presentation information defines a presentation layout of the presentation information when displayed on a display unit" and "a presentation page area having a plurality of presentation definition sections defined therein, wherein in response to a request from a client said presentation information of said definition area is combined with a selected one of the presentation definition sections of said presentation page area to generate a presentation page for display at the client" (*see, e.g.*, Appellants' Table 2; Figs. 4 and 6; and claim 27).

As noted above, Brown and Benedikt, either alone or in combination, fail to teach or suggest such a definition area and a presentation area or any generation of a presentation page for displaying at a requesting client (*see supra* Section VIII(C)).

Thus, claim 27 is patentable over a reasonable combination of Brown and Benedikt, if any, for at least the above exemplary reasons. The remaining claims in Group V contain similar limitations, and hence, are patentable for at least the same reasons.

**H. The Claim Of Group VI Is Not Rendered Obvious By A Reasonable Combination, If Any, Of Brown And Benedikt.**

In addition to the aforementioned novel features of claim 27, as incorporated into claim 29, claim 29 recites that "a background is stored in the definition area and is combined with the selected presentation definition section for uniform display across the presentation areas displayed on a web browser". Thus, claim 19 avoids the problem with the conventional approaches wherein information presented by a web browser in frames could not be presented with a single, unified background image (*see* Appellants' page 9, lines 14-16).

Brown and Benedikt, either alone or in combination, fail to teach or suggest that a background is stored in the definition area of the computer program and that the background is combined with the selected presentation definition section for uniform display across the presentation areas displayed on the web browser.

Thus, the claim of Group VI is patentable over a reasonable combination of Brown and Benedikt, if any, for at least the above exemplary reasons.

**IX. CONCLUSION**

In Summary, Appellants have invented a novel approach to generating presentation materials for transport over a network to a browser, for example, to a browser that is not capable of handling frames.

Appellants respectfully request the members of the Board to reverse the rejection of the appealed claims and to find each of the claims allowable as defining subject matter which is not unpatentable under 35 U.S.C. § 103(a).

APPELLANTS' BRIEF ON APPEAL  
UNDER 37 C.F.R. § 1.192  
U.S. Application No. 09/479,999

Attorney Docket No. A7631

The present Brief on Appeal is being filed in triplicate. Unless a check is submitted herewith for the fee required under 37 C.F.R. §1.192(a) and 1.17(c), please charge said fee to Deposit Account No. 19-4880.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Billy Carter Raulerson  
Registration No. 52,156

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: August 11, 2003

## **APPENDIX**

### **CLAIMS 7-12 and 27-31 ON APPEAL:**

7. A method for managing internet presentation materials in a single file format for ease of administration while presenting to a requestor only those portions of the file requested,

comprising:

defining, in a first portion of the file, a first variable equal to first information and a second variable equal to second information;

defining, in a second portion of the file, first and second presentation layouts, wherein said first presentation layout includes said first variable and said second presentation layout includes said second variable; and

generating a page of presentation material in response to a request for said first information, wherein the page is generated based on the first presentation layout and includes said first information and does not contain said second information.

8. The method according to claim 7, wherein said page is a World Wide Web page for display on a web browser.

9. The method according to claim 8, wherein said web browser does not support a hypertext markup language (HTML) frame tag.

10. The method according to claim 7, where said request includes a uniform resource locator (URL).

11. A system for managing internet presentation materials in a single file format for ease of administration while presenting to a requestor only those portions of the file requested, comprising:

- a server for communicating with a client;

- a dynamic presentation page generating unit, coupled with said server;

- a macro program, coupled with said dynamic presentation page generation unit, having first and second presentation material stored therein,

wherein said dynamic presentation page generating unit, in response to a message received by said server requesting said first presentation material, generates a page of presentation material based on the macro program, the generated page including said first presentation material and not including said second presentation material.

12. The system according to claim 11, wherein said dynamic presentation page unit generates said page of presentation material in the form of hypertext markup language (HTML) for presentation on a non-frame-capable web browser.

27. A computer-readable medium encoded with a computer program, comprising:

- a definition area having presentation information stored therein, wherein the presentation information defines a presentation layout of the presentation information when displayed on a display unit.

a presentation page area having a plurality of presentation definition sections defined therein, wherein in response to a request from a client said presentation information of said definition area is combined with a selected one of the presentation definition sections of said presentation page area to generate a presentation page for display at the client.

28. (Amended) The computer-readable medium according to claim 27, wherein said presentation information is stored as a value of a variable.

29. (Amended) The computer-readable medium according to claim 27, wherein a background is stored in the definition area and is combined with the selected presentation definition section for uniform display across the presentation areas displayed on a web browser.

30. (Amended) The computer-readable medium according to claim 27, wherein the display unit is a web browser.

31. (Amended) The computer-readable medium according to claim 27, wherein the computer-readable program is a web macro.